

HOUSE BILL 22
By Newton

AN ACT to amend Tennessee Code Annotated, Title 57,
Chapter 5, Part 1, relative to beer and alcoholic
beverages.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 57-5-104, is amended by deleting from subsection (a) the language "two hundred fifty dollars (\$250)" and by substituting instead the language "three hundred dollars (\$300)".

SECTION 2. Tennessee Code Annotated, Section 57-5-104, is further amended by adding the following language to the end of subsection (a):

Fifty dollars (\$50.00) of such three hundred dollar (\$300) fee shall be used for the exclusive purpose of combating underage substance abuse in the county or city collecting such fee.

SECTION 3. Tennessee Code Annotated, Section 57-5-104, is further amended by deleting from subsection (b)(1) the language "one hundred dollars (\$100)" and by substituting instead the language "one hundred twenty dollars (\$120)".

SECTION 4. Tennessee Code Annotated, Section 57-5-104, is further amended by deleting from subsection (b)(4) the language "any public purpose." and by substituting instead the following language:

any public purpose; provided that twenty dollars (\$20.00) of such one hundred twenty dollar (\$120) tax shall be used for the exclusive purpose of combating underage substance abuse in the county or city collecting such tax.

SECTION 5. Tennessee Code Annotated, Section 57-5-105, is amended by deleting from subsection (b)(3) the language "or other alcoholic beverages" and by substituting instead the following language:

or other alcoholic beverages, or the manufacture, delivery, sale or possession with intent to manufacture, deliver or sell any controlled substance,

SECTION 6. Tennessee Code Annotated, Section 57-5-105, is further amended by deleting from subsection (b)(4) the language "or other alcoholic beverages" and by substituting instead the following language:

or other alcoholic beverages, or the manufacture, delivery, sale or possession with intent to manufacture, deliver or sell any controlled substance,

SECTION 7. Tennessee Code Annotated, Section 57-5-105, is further amended by adding the following language to the end of subsection (b)(9):

The county legislative body or its committee may require an applicant, an owner having at least a five percent (5%) ownership interest in the applicant, or both, to submit to a criminal history records check. Any such check shall be conducted through such computer terminals available to the county or other means of access to criminal convictions that are maintained by the county, city or other political subdivision, the Tennessee bureau of investigation and the federal bureau of investigation. Any person required to submit to such check shall supply a fingerprint sample on request and in the manner requested by the county legislative body or its committee. The results of any criminal history records check shall be used for the limited purpose of determining the applicant's qualifications for a permit pursuant to the provisions of this section. The results of such a records check shall not be considered a record open to the public pursuant to title 10, chapter 7, part 5. In addition to any application fee

submitted, the applicant shall pay the cost of any records check required pursuant to this subsection (b)(9).

SECTION 8. This act shall take effect July 1, 2005, the public welfare requiring it.